

**IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SSGT JASON A. ADKINS, USAF,)	
)	
Plaintiff,)	
)	
v.)	Civ. Act. No. 04-1453-JJF
)	
DONALD H. RUMSFELD, Sec. of Defense;)	
JAMES G. ROCHE, Secretary of the Air Force;)	
GEN. JOHN W. HANDY, Commander Air)	
Mobility Command, COL. JOHN I. PRAY, JR.,)	
436th Air Wing Commander, in their official)	
capacities,)	
)	
Defendants.)	

**NOTICE OF WITHDRAWAL, IN PART, OF PLAINTIFF'S OPPOSITION TO
DEFENDANTS MOTION TO FILE CERTAIN EXHIBITS UNDER SEAL**

To clear up any ambiguity that may remain on the docket, Plaintiff withdraws in part his opposition to defendants Motion for a Protective Order and For Permission to File Documents Under Seal (D.I. 27) and does not object to the defendants' filing of Exhibit 6(b) of Defendant's Motion to Dismiss (D.I. 29) under seal consistent with the protective order entered by this Court on September 6, 2006.

THE NEUBERGER FIRM, P.A.

/s/ Stephen J. Neuberger

THOMAS S. NEUBERGER, ESQ. (#243)

STEPHEN J. NEUBERGER, ESQ. (#4440)

Two East Seventh Street, Suite 302

Wilmington, Delaware 19801-3707

(302) 652-3792

Attorneys for Plaintiff Jason A. Adkins

ARNOLD & PORTER L.L.P.

Susan B. Cassidy, Esq.
Randall Shaheen, Esq.
M. Katherine Stroker, Esq
Alexander Major, Esq
555 12th Street, NW
Washington, DC 20004
202-942-5000 (phone)
202-942-5999 (fax)

Attorneys for Plaintiff Jason A. Adkins

OF COUNSEL:

JOHN W. WHITEHEAD, ESQ.
DOUGLAS MCKUSICK, ESQ.
THE RUTHERFORD INSTITUTE
P.O. Box 7482
Charlottesville, Virginia 22906
(434) 978-3888

Dated: September 7, 2006

CERTIFICATE OF SERVICE

I, Stephen J. Neuberger, being a member of the bar of this Court do hereby certify that on September 7, 2006, I electronically filed this **Pleading** with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

Samuel C. Kaplan, Esq.
Trial Attorney, Federal Programs Branch
Civil Division, U.S. Dept. of Justice
P.O. Box 833
20 Massachusetts Ave., N.W.
Washington, D.C. 20044
samuel.kaplan@usdoj.gov

Douglas E. McCann, Esq.
U.S. Attorney's Office
1007 Orange Street, Suite 700
P.O. Box 2046
Wilmington, DE 19899-2046
douglas.mccann@usdoj.gov

/s/ Stephen J. Neuberger
STEPHEN J. NEUBERGER, ESQ.